

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN C. LEIKNESS,

Plaintiff,

v.

JO ANNE B. BARNHART, Commissioner
of Social Security Administration,

Defendant.

CASE NO. C04-2348-MJP

ORDER REGARDING CONSENT

The above-captioned matter comes before the court *sua sponte*. The parties have consented to proceed before the undersigned magistrate judge (Dkts. 4 and 14). However, after a detailed review of the Administrative Record, it has come to the attention of the court that a potential conflict of interest may exist in this case, such that the undersigned has decided to recuse herself from this case.

The Clerk was directed to assign this matter randomly to one of the remaining magistrate judges. This matter is now assigned to Judge Monica J. Benton for further proceedings. The parties shall, on or before June 6, 2005, notify the court whether the parties will consent to having Judge Benton conduct all proceedings, including entry of order and judgment, pursuant to 28 U.S.C. § 636(c) and Local Rule MJR 13. If the parties do not consent, this matter will be assigned

¹ The Notice of Initial Assignment to a Magistrate Judge informs plaintiff's counsel of defendant's General Consent on file with the court.

01 to a District Judge, and Judge Benton will be re-assigned as Referral Judge for issuance of a
02 Report and Recommendation.

03 A copy of this consent form has been sent to each attorney and unrepresented party of
04 record in this case. Please indicate your individual decision and return this form to the attention
05 of Judy Nothorn, Clerk's Office, United States Courthouse, 700 Stewart Street, Lobby Level,
06 Seattle, Washington 98101; (206)370-8420.

07 DATED this 27th day of May, 2005.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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NOTICE OF CONSENT

Case Name: John C. Leikness v. Jo Anne B. Barnhart

Case No.: C04-2348-MJB

Due Date: 06/06/05

Name: _____

Signature: _____

I hereby consent to referral of the case to Judge Benton _____

I do not consent to referral of the case to Judge Benton _____

Date: _____

**Return to: Judy Nothern
Clerk's Office, United States Courthouse
700 Stewart Street, Lobby Level
Seattle, Washington 98101**